

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency After Notice

Rule making related to child care assistance fees

The Human Services Department hereby amends Chapter 170, “Child Care Services,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 234.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 234.6.

Purpose and Summary

These amendments revise the Child Care Assistance (CCA) fees, which are based on federal poverty levels (FPL), household size, and family gross monthly income. These amendments update the fee chart. Finally, these amendments provide clarification regarding change reporting requirements.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 27, 2019, as **ARC 4367C**. The Department received no comments during the public comment period.

The Department was advised that the fee schedule chart that was proposed for removal in the Notice of Intended Action (IAB 3/27/19, **ARC 4367C**) is required to be published in administrative rule. Therefore, Item 2 of these amendments has been revised to reintroduce and update the fee schedule table to reflect changes that resulted from changes to federal poverty level.

Reason for Waiver of Normal Effective Date

Pursuant to Iowa Code section 17A.5(2)“b”(1)(b), the Department finds that the normal effective date of this rule making, 35 days after publication, should be waived and the rule making made effective on July 1, 2019, because these amendments confer a benefit on the public. The annual poverty level increase will allow families that have received increased income to maintain eligibility for child care assistance without paying increased fees.

Adoption of Rule Making

This rule making was adopted by the Council on Human Services on May 13, 2019.

Fiscal Impact

Copay chart changes: There is no fiscal impact to the state. The rule making simply allows families that have received a cost-of-living pay increase to remain at their current fee level. Reporting requirements: The clarification on reporting requirements has no fiscal impact.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

This amendment does not provide a specific waiver authority because families may request a waiver of these provisions in a specified situation under the Department's general rule on exceptions at 441—1.8(17A,217).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 1, 2019.

The following rule-making actions are adopted:

ITEM 1. Rescind subrule 170.2(4) and adopt the following **new** subrule in lieu thereof:

170.2(4) Reporting changes. The parent may report any changes in circumstances affecting these eligibility requirements and changes in the choice of provider to the department worker or the PROMISE JOBS worker within ten calendar days of the change.

a. If the change is timely reported within ten calendar days, the effective date of the change shall be the date when the change occurred.

b. If the change is not timely reported within ten calendar days, the effective date of the change shall be the date when the change is reported to the department office or the PROMISE JOBS office.

c. Exceptions. The following changes must be reported:

(1) Changes in income when the family's gross monthly income exceeds 85 percent of Iowa's median family income.

(2) A lapse in a parent's need for service found in paragraph 170.2(2) "*b*" that is not temporary.

(3) A change in residency outside of the state of Iowa.

(4) No eligible child remains in the home.

d. The department worker shall disregard any reported changes that are not required to be reported unless the change would cause the authorized units to be increased or the family copay amount to be decreased.

ITEM 2. Amend paragraph **170.4(2)"a"** as follows:

a. Sliding fee schedule.

(1) The fee schedule shown in the following table is effective for eligibility determinations made on or after July 1, ~~2018~~ 2019:

Monthly Income According to Family Size														Unit Fee Based on Number of Children in Care		
Level	1	2	3	4	5	6	7	8	9	10	11	12	13+	1	2	3 or more
A	\$961	\$1,303	\$1,645	\$1,987	\$2,329	\$2,671	\$3,013	\$3,355	\$3,697	\$4,039	\$4,381	\$4,723	\$5,065	\$0.00	\$0.00	\$0.00
	\$989	\$1,340	\$1,689	\$2,039	\$2,389	\$2,739	\$3,088	\$3,439	\$3,789	\$4,138	\$4,489	\$4,838	\$5,188			
B	\$1,012	\$1,372	\$1,732	\$2,092	\$2,452	\$2,812	\$3,172	\$3,532	\$3,892	\$4,252	\$4,612	\$4,972	\$5,332	\$0.20	\$0.45	\$0.70
	\$1,041	\$1,410	\$1,778	\$2,146	\$2,515	\$2,883	\$3,251	\$3,620	\$3,988	\$4,356	\$4,725	\$5,093	\$5,461			
C	\$1,040	\$1,410	\$1,780	\$2,151	\$2,521	\$2,891	\$3,261	\$3,631	\$4,001	\$4,371	\$4,741	\$5,111	\$5,481	\$0.45	\$0.70	\$0.95
	\$1,070	\$1,449	\$1,828	\$2,206	\$2,585	\$2,964	\$3,342	\$3,721	\$4,100	\$4,478	\$4,857	\$5,236	\$5,614			
D	\$1,069	\$1,449	\$1,829	\$2,209	\$2,589	\$2,969	\$3,350	\$3,730	\$4,110	\$4,490	\$4,870	\$5,250	\$5,631	\$0.70	\$0.95	\$1.20
	\$1,099	\$1,489	\$1,878	\$2,266	\$2,656	\$3,044	\$3,433	\$3,823	\$4,211	\$4,600	\$4,990	\$5,378	\$5,767			
E	\$1,099	\$1,489	\$1,880	\$2,271	\$2,662	\$3,053	\$3,443	\$3,834	\$4,225	\$4,616	\$5,007	\$5,397	\$5,788	\$0.95	\$1.20	\$1.45
	\$1,130	\$1,531	\$1,930	\$2,330	\$2,730	\$3,130	\$3,529	\$3,930	\$4,329	\$4,729	\$5,129	\$5,529	\$5,928			
F	\$1,129	\$1,530	\$1,931	\$2,333	\$2,734	\$3,136	\$3,537	\$3,939	\$4,340	\$4,742	\$5,143	\$5,544	\$5,946	\$1.20	\$1.45	\$1.70
	\$1,161	\$1,572	\$1,983	\$2,393	\$2,805	\$3,215	\$3,625	\$4,037	\$4,447	\$4,858	\$5,269	\$5,679	\$6,090			
G	\$1,160	\$1,573	\$1,985	\$2,398	\$2,811	\$3,224	\$3,636	\$4,049	\$4,462	\$4,874	\$5,287	\$5,700	\$6,112	\$1.45	\$1.70	\$1.95
	\$1,193	\$1,616	\$2,038	\$2,460	\$2,883	\$3,305	\$3,727	\$4,150	\$4,572	\$4,994	\$5,417	\$5,838	\$6,260			
H	\$1,192	\$1,616	\$2,040	\$2,464	\$2,887	\$3,311	\$3,735	\$4,159	\$4,583	\$5,007	\$5,431	\$5,855	\$6,279	\$1.70	\$1.95	\$2.20
	\$1,226	\$1,660	\$2,094	\$2,527	\$2,962	\$3,395	\$3,828	\$4,263	\$4,696	\$5,130	\$5,564	\$5,997	\$6,431			
I	\$1,225	\$1,661	\$2,097	\$2,532	\$2,968	\$3,404	\$3,840	\$4,276	\$4,711	\$5,147	\$5,583	\$6,019	\$6,455	\$1.95	\$2.20	\$2.45
	\$1,260	\$1,707	\$2,152	\$2,598	\$3,045	\$3,490	\$3,936	\$4,382	\$4,828	\$5,273	\$5,720	\$6,165	\$6,611			
J	\$1,258	\$1,706	\$2,154	\$2,601	\$3,049	\$3,497	\$3,944	\$4,392	\$4,840	\$5,287	\$5,735	\$6,183	\$6,630	\$2.20	\$2.45	\$2.70
	\$1,295	\$1,753	\$2,211	\$2,669	\$3,127	\$3,585	\$4,043	\$4,502	\$4,959	\$5,417	\$5,876	\$6,333	\$6,791			
K	\$1,294	\$1,754	\$2,214	\$2,674	\$3,135	\$3,595	\$4,055	\$4,515	\$4,975	\$5,436	\$5,896	\$6,356	\$6,816	\$2.45	\$2.70	\$2.95
	\$1,331	\$1,802	\$2,273	\$2,743	\$3,215	\$3,685	\$4,156	\$4,628	\$5,098	\$5,568	\$6,040	\$6,511	\$6,981			
L	\$1,329	\$1,802	\$2,274	\$2,747	\$3,220	\$3,693	\$4,165	\$4,638	\$5,111	\$5,584	\$6,056	\$6,529	\$7,002	\$2.70	\$2.95	\$3.20
	\$1,367	\$1,852	\$2,335	\$2,818	\$3,303	\$3,786	\$4,269	\$4,754	\$5,237	\$5,720	\$6,205	\$6,688	\$7,171			
M	\$1,366	\$1,852	\$2,338	\$2,824	\$3,310	\$3,796	\$4,282	\$4,768	\$5,254	\$5,740	\$6,226	\$6,712	\$7,198	\$2.95	\$3.20	\$3.45
	\$1,405	\$1,903	\$2,400	\$2,897	\$3,395	\$3,892	\$4,389	\$4,887	\$5,384	\$5,880	\$6,378	\$6,875	\$7,372			
N	\$1,403	\$1,903	\$2,402	\$2,901	\$3,400	\$3,899	\$4,399	\$4,898	\$5,397	\$5,896	\$6,395	\$6,895	\$7,394	\$3.20	\$3.45	\$3.70
	\$1,444	\$1,955	\$2,466	\$2,976	\$3,488	\$3,998	\$4,508	\$5,020	\$5,530	\$6,040	\$6,552	\$7,062	\$7,573			
O	\$1,443	\$1,956	\$2,469	\$2,982	\$3,495	\$4,009	\$4,522	\$5,035	\$5,548	\$6,061	\$6,575	\$7,088	\$7,601	\$3.45	\$3.70	\$3.95
	\$1,484	\$2,010	\$2,535	\$3,059	\$3,585	\$4,110	\$4,634	\$5,160	\$5,685	\$6,210	\$6,736	\$7,260	\$7,785			
P	\$1,482	\$2,009	\$2,536	\$3,063	\$3,591	\$4,118	\$4,645	\$5,172	\$5,699	\$6,226	\$6,754	\$7,281	\$7,808	\$3.70	\$3.95	\$4.20
	\$1,524	\$2,065	\$2,604	\$3,143	\$3,683	\$4,222	\$4,761	\$5,301	\$5,840	\$6,379	\$6,919	\$7,458	\$7,997			

Monthly Income According to Family Size															Unit Fee Based on Number of Children in Care		
Level	1	2	3	4	5	6	7	8	9	10	11	12	13+	1	2	3 or more	
4	Q	<u>\$1,523</u> <u>\$1,567</u>	<u>\$2,065</u> <u>\$2,123</u>	<u>\$2,607</u> <u>\$2,677</u>	<u>\$3,149</u> <u>\$3,231</u>	<u>\$3,691</u> <u>\$3,786</u>	<u>\$4,233</u> <u>\$4,340</u>	<u>\$4,775</u> <u>\$4,894</u>	<u>\$5,317</u> <u>\$5,449</u>	<u>\$5,859</u> <u>\$6,003</u>	<u>\$6,401</u> <u>\$6,557</u>	<u>\$6,943</u> <u>\$7,113</u>	<u>\$7,485</u> <u>\$7,667</u>	<u>\$8,027</u> <u>\$8,221</u>	\$3.95	\$4.20	\$4.45
	R	<u>\$1,565</u> <u>\$1,610</u>	<u>\$2,122</u> <u>\$2,180</u>	<u>\$2,678</u> <u>\$2,749</u>	<u>\$3,235</u> <u>\$3,318</u>	<u>\$3,792</u> <u>\$3,889</u>	<u>\$4,348</u> <u>\$4,458</u>	<u>\$4,905</u> <u>\$5,027</u>	<u>\$5,462</u> <u>\$5,598</u>	<u>\$6,018</u> <u>\$6,167</u>	<u>\$6,575</u> <u>\$6,736</u>	<u>\$7,132</u> <u>\$7,307</u>	<u>\$7,689</u> <u>\$7,876</u>	<u>\$8,245</u> <u>\$8,445</u>	\$4.20	\$4.45	\$4.70
	S	<u>\$1,609</u> <u>\$1,655</u>	<u>\$2,181</u> <u>\$2,241</u>	<u>\$2,753</u> <u>\$2,826</u>	<u>\$3,326</u> <u>\$3,411</u>	<u>\$3,898</u> <u>\$3,998</u>	<u>\$4,470</u> <u>\$4,583</u>	<u>\$5,042</u> <u>\$5,168</u>	<u>\$5,615</u> <u>\$5,755</u>	<u>\$6,187</u> <u>\$6,340</u>	<u>\$6,759</u> <u>\$6,925</u>	<u>\$7,332</u> <u>\$7,511</u>	<u>\$7,904</u> <u>\$8,096</u>	<u>\$8,476</u> <u>\$8,681</u>	\$4.45	\$4.70	\$4.95
	T	<u>\$1,653</u> <u>\$1,700</u>	<u>\$2,240</u> <u>\$2,302</u>	<u>\$2,828</u> <u>\$2,903</u>	<u>\$3,416</u> <u>\$3,504</u>	<u>\$4,004</u> <u>\$4,107</u>	<u>\$4,592</u> <u>\$4,708</u>	<u>\$5,180</u> <u>\$5,309</u>	<u>\$5,768</u> <u>\$5,911</u>	<u>\$6,355</u> <u>\$6,512</u>	<u>\$6,943</u> <u>\$7,113</u>	<u>\$7,531</u> <u>\$7,716</u>	<u>\$8,119</u> <u>\$8,317</u>	<u>\$8,707</u> <u>\$8,918</u>	\$4.70	\$4.95	\$5.20
	U	<u>\$1,699</u> <u>\$1,748</u>	<u>\$2,303</u> <u>\$2,367</u>	<u>\$2,907</u> <u>\$2,985</u>	<u>\$3,512</u> <u>\$3,602</u>	<u>\$4,116</u> <u>\$4,222</u>	<u>\$4,720</u> <u>\$4,840</u>	<u>\$5,325</u> <u>\$5,457</u>	<u>\$5,929</u> <u>\$6,077</u>	<u>\$6,533</u> <u>\$6,695</u>	<u>\$7,138</u> <u>\$7,312</u>	<u>\$7,742</u> <u>\$7,932</u>	<u>\$8,346</u> <u>\$8,550</u>	<u>\$8,951</u> <u>\$9,167</u>	\$4.95	\$5.20	\$5.45
	V	<u>\$1,745</u> <u>\$1,795</u>	<u>\$2,366</u> <u>\$2,431</u>	<u>\$2,987</u> <u>\$3,066</u>	<u>\$3,607</u> <u>\$3,701</u>	<u>\$4,228</u> <u>\$4,337</u>	<u>\$4,849</u> <u>\$4,971</u>	<u>\$5,470</u> <u>\$5,606</u>	<u>\$6,091</u> <u>\$6,242</u>	<u>\$6,711</u> <u>\$6,877</u>	<u>\$7,332</u> <u>\$7,512</u>	<u>\$7,953</u> <u>\$8,148</u>	<u>\$8,574</u> <u>\$8,782</u>	<u>\$9,195</u> <u>\$9,417</u>	\$5.20	\$5.45	\$5.70
	W	<u>\$1,794</u> <u>\$1,845</u>	<u>\$2,432</u> <u>\$2,499</u>	<u>\$3,070</u> <u>\$3,152</u>	<u>\$3,708</u> <u>\$3,804</u>	<u>\$4,347</u> <u>\$4,458</u>	<u>\$4,985</u> <u>\$5,111</u>	<u>\$5,623</u> <u>\$5,763</u>	<u>\$6,261</u> <u>\$6,417</u>	<u>\$6,899</u> <u>\$7,069</u>	<u>\$7,537</u> <u>\$7,722</u>	<u>\$8,176</u> <u>\$8,376</u>	<u>\$8,814</u> <u>\$9,028</u>	<u>\$9,452</u> <u>\$9,681</u>	\$5.45	\$5.70	\$5.95
	X	<u>\$1,843</u> <u>\$1,896</u>	<u>\$2,498</u> <u>\$2,568</u>	<u>\$3,154</u> <u>\$3,238</u>	<u>\$3,809</u> <u>\$3,908</u>	<u>\$4,465</u> <u>\$4,580</u>	<u>\$5,121</u> <u>\$5,250</u>	<u>\$5,776</u> <u>\$5,920</u>	<u>\$6,432</u> <u>\$6,592</u>	<u>\$7,087</u> <u>\$7,262</u>	<u>\$7,743</u> <u>\$7,932</u>	<u>\$8,398</u> <u>\$8,604</u>	<u>\$9,054</u> <u>\$9,274</u>	<u>\$9,709</u> <u>\$9,944</u>	\$5.70	\$5.95	\$6.20
	Y	<u>\$1,894</u> <u>\$1,949</u>	<u>\$2,568</u> <u>\$2,639</u>	<u>\$3,242</u> <u>\$3,328</u>	<u>\$3,916</u> <u>\$4,017</u>	<u>\$4,590</u> <u>\$4,708</u>	<u>\$5,264</u> <u>\$5,397</u>	<u>\$5,938</u> <u>\$6,086</u>	<u>\$6,612</u> <u>\$6,776</u>	<u>\$7,286</u> <u>\$7,465</u>	<u>\$7,960</u> <u>\$8,154</u>	<u>\$8,633</u> <u>\$8,845</u>	<u>\$9,307</u> <u>\$9,534</u>	<u>\$9,981</u> <u>\$10,223</u>	\$5.95	\$6.20	\$6.45
	Z	<u>\$1,946</u> <u>\$2,002</u>	<u>\$2,638</u> <u>\$2,711</u>	<u>\$3,331</u> <u>\$3,419</u>	<u>\$4,023</u> <u>\$4,127</u>	<u>\$4,715</u> <u>\$4,836</u>	<u>\$5,407</u> <u>\$5,544</u>	<u>\$6,100</u> <u>\$6,251</u>	<u>\$6,792</u> <u>\$6,961</u>	<u>\$7,484</u> <u>\$7,669</u>	<u>\$8,176</u> <u>\$8,376</u>	<u>\$8,869</u> <u>\$9,086</u>	<u>\$9,561</u> <u>\$9,794</u>	<u>\$10,253</u> <u>\$10,501</u>	\$6.20	\$6.45	\$6.70
	AA	<u>\$2,001</u> <u>\$2,058</u>	<u>\$2,712</u> <u>\$2,787</u>	<u>\$3,424</u> <u>\$3,515</u>	<u>\$4,135</u> <u>\$4,242</u>	<u>\$4,847</u> <u>\$4,972</u>	<u>\$5,559</u> <u>\$5,699</u>	<u>\$6,270</u> <u>\$6,427</u>	<u>\$6,982</u> <u>\$7,156</u>	<u>\$7,694</u> <u>\$7,883</u>	<u>\$8,405</u> <u>\$8,611</u>	<u>\$9,117</u> <u>\$9,340</u>	<u>\$9,829</u> <u>\$10,068</u>	<u>\$10,540</u> <u>\$10,795</u>	\$6.45	\$6.70	\$6.95
	BB	\$4,000	\$5,000	\$6,000	\$7,000	\$8,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,500	\$10,000	\$10,500	\$11,500	\$6.70	\$6.95	\$7.20

(2) No change.

ITEM 3. Amend paragraph **170.4(3)“i”** as follows:

i. Transgressions. If any person subject to the record checks in paragraph 170.4(3)“g” or 170.4(3)“h” has a record of founded child abuse, dependent adult abuse, a criminal conviction, or placement on the sex offender registry, the department shall follow the process for prohibition or evaluation defined at 441—subrule ~~110.7(3)~~ 120.11(3).

(1) and (2) No change.

[Filed Emergency After Notice 5/13/19, effective 7/1/19]

[Published 6/5/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 6/5/19.